

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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LORNA GERIS, Individually, and as Personal Representative of the Estate of FRED GERIS, and as Parent and Natural Guardian of CHRISTOPHER, MATTHEW, and KRISTINE GERIS; and the WORKPLACE SAFETY & INSURANCE BOARD OF ONTARIO, as Subrogee,

Plaintiffs,

v.

DiSILVA TAUNTON EXPRESS, INC.,  
and JOSE L. MARTE,

Defendants.

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**DECLARATION OF PAUL  
MORRISON-TAYLOR, ESQ. IN  
SUPPORT OF PLAINTIFFS'  
MOTION FOR AN ORDER FOR  
EXTENDING THEIR TIME TO  
REPLY TO DEFENDANTS'  
OPPOSITION TO THEIR  
CROSS-MOTION FOR  
SUMMARY JUDGMENT AND  
EXTENDING THE  
DISCOVERY CUT OFF DATE**

case No.: 1:07-CV-376-JTC

I, Paul Morrison-Taylor, declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, the following:

1. I am a member of the law firm Phillips Lytle LLP, located at One HSBC Center, Suite 3400, Buffalo, New York 14203.
2. We are counsel for Plaintiffs in this action, and make this declaration in support of Plaintiffs' motion to extend their time to reply to Defendants' opposition to Plaintiffs' cross-motion for summary judgment, and extending the discovery cut-off date.
3. As the Court well knows, Marc Brown has been heavily involved in this action for Plaintiffs. Marc Brown recently left our firm. Although we are familiar with the matter, Mr. Brown's departure was unanticipated.

4. Accordingly, Plaintiffs' request an extension to and including June 28, 2013 for the filing of their reply to Defendants' opposition to Plaintiffs' cross-motion for summary judgment.

5. Plaintiffs' also request an extension until and including September 14, 2013 for the completion of discovery.

6. It is respectfully submitted that the requested adjournments do not prejudice Defendants, or do serious harm to the Court's schedule.

7. Accordingly, Plaintiffs respectfully request that this Court grant them an extension of time to and including June 28, 2013 to reply to Defendants' opposition to Plaintiffs' cross-motion for summary judgment, and to and including September 14, 2013 for the completion of discovery.

Dated: May 7, 2013

/s/ Paul Morrison-Taylor  
Paul Morrison-Taylor

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